



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,913	10/19/2005	Masaki Oie	JP920020047US1	4932
25799	7590	12/09/2008		
IBM CORPORATION PO BOX 12195 DEPT YXSA, BLDG 002 RESEARCH TRIANGLE PARK, NC 27709			EXAMINER SHERKAT, AREZOO	
			ART UNIT 2431	PAPER NUMBER
			MAIL DATE 12/09/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/510,913

Applicant(s)

OIE, MASAKI

Examiner

AREZOO SHERKAT

Art Unit

2431

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claims 1-16 have been presented for examination.

Examiner has included references to particular sections of the prior art(s) throughout this office action. Although the specified citations are representative of the teachings in the prior art(s) as applicable to each specific limitation, other passages and/or figures may apply as well. Therefore, to expedite the processing of the application, Applicant is respectfully requested to consider each prior art in its entirety for teachings corresponding to all or part(s) of the claimed invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Plasson et al., (U.S. Patent No. 6,795,688 and Plasson hereinafter).

Regarding claim 1, Plasson discloses an apparatus comprising:

a communication controller which acquires identification information of another device by communicating with the other device (i.e., device 390 can be detected by a page or inquiry message to a device in PAN 301, using information such as device 390's access code or numerical address)(col. 11, lines 49-67 and col. 12, lines 1-46), an environment module which determines the environment under which the computer apparatus is located based on the acquired identification information (i.e., the detected device can be associated with a secure environment such as the home or the office and associated with each type of location is a particular mode of operation), and a control module which selects a setting of the computer apparatus based on the determined environment (col. 12, lines 26-67 and col. 13, lines 1-28 and lines 42-59).

Regarding claim 2, Plasson discloses the apparatus of Claim 1, wherein the environment module determines the environment by identifying the other device existing in periphery of the computer apparatus based on the identification information (i.e., the detected device can be associated with a secure environment such as the home or the office and associated with each type of location is a particular mode of operation)(col. 12, lines 26-67 and col. 13, lines 1-28 and lines 42-59).

Regarding claim 3, Plasson discloses the apparatus of Claim 2, wherein the communication controller acquires a Bluetooth device address as the identification information from the other device being capable of Bluetooth communication (i.e., device 390 can be detected by a page or inquiry message to a device in PAN 301, using information such as device 390's access code or numerical address)(col. 11, lines 49-67 and col. 12, lines 1-46).

Regarding claim 4, Plasson discloses the apparatus of Claim 1, wherein the control module selects a security setting of the computer apparatus based on the determined environment (i.e., the detected device can be associated with a secure environment such as the home or the office and associated with each type of location is a particular mode of operation)(col. 12, lines 26-67 and col. 13, lines 1-28 and lines 42-59).

Regarding claim 5, Plasson discloses the apparatus of Claim 4, wherein the control module:

selects a security setting corresponding to the determined environment if the environment is a prescribed environment (i.e., selecting the proper configuration for a known location), and selects a security setting with a security level higher than that for the prescribed environment if the determined environment is not the prescribed environment (i.e., selecting the default configuration for unknown location)(fig. 5 and its related text).

Regarding claim 6, Plasson discloses the apparatus of Claim 1, wherein the control module selects a setting for controlling power consumption in the computer apparatus according to the determined environment (col. 13, lines 41-59 and col. 16, lines 65-67 and col. 17, lines 1-15).

Regarding claim 7, Plasson discloses a method comprising:
acquiring information about an environment in which a computer is located, and selecting a security setting of the computer on the basis of the acquired information(col. 17, lines 40-67 and col. 18, lines 1-36).

Regarding claim 8, Plasson discloses the method of Claim 7, wherein the acquisition comprises acquiring identification information about a device in the vicinity of the computer, the identification information being transferred from the device (col. 17, lines 40-67 and col. 18, lines 1-36).

Regarding claim 9, Plasson discloses the method of Claim 8, wherein the selection comprises selecting the level of the security setting according to whether the identification information about the device is registered beforehand (i.e., the default configuration, which is selected for unknown devices, is more restrictive or provides a higher level of security)(col. 4, lines 32-54 and col. 18, lines 1-35).

Regarding claim 10, Plasson discloses the method of Claim 9, wherein if the identification information about the device is not registered, the level of the security setting is changed to a level higher than a current level (i.e., the default configuration, which is selected for unknown devices not found in data structure 400, is more restrictive or provides a higher level of security)(col. 4, lines 32-54 and col. 18, lines 1-35).

Regarding claim 11, Plasson discloses a method comprising:
acquiring device information about a device capable of communicating with a computer apparatus, receiving a security setting specified for an environment in which the device information can be acquired (i.e., if a device enters the range of PAN 301, at least one of the devices in PAN 301 attempts to determine its location using the address of the device that came within range in conjunction with the information in data structure 400. The information in data structure 400 can also be used to select the appropriate mode of operation associated with the device degree of mobility and/or location, and to implement the selected mode of operation according to the settings and attributes also cached in data structure 400), and associating and storing the specified security setting with the device information (i.e., if a device enters into the vicinity of PAN 301, a user can choose to add information about this device to data structure 400, or information about the device can be added automatically. Likewise, data structure 400 can be modified or updated according to a synchronization process such as HotSync)(col. 14, lines 26-59).

Regarding claim 12, Plasson discloses the method according to Claim 11, wherein, after storing the security setting and the device information, the computer apparatus further performs acts which include:

acquiring device information about a device ready to communicate with the computer apparatus, invoking the security setting associated with the obtained device information, and changing the current security setting on the computer apparatus to the invoked security setting (col. 17, lines 40-67 and col. 18, lines 1-67 and col. 19, lines 1-13).

Regarding claim 13, Plasson discloses a product comprising:

a computer usable medium having computer readable program code stored therein for causing a computer apparatus to perform a predetermined process, the computer readable program code in said product being effective to:

acquire address information about a device (i.e., the address of the device) found in the vicinity of the computer apparatus through Bluetooth-based communication with the device (i.e., detect an inquiry or a page received a proximate device), and select settings on the computer apparatus on the basis of the acquired address information (i.e., the address of the device can be used as an index to locate in the data structure 400 the nature of the location associated with the device. Associated with the type of location is the mode of operation and associated configuration information)(col. 17, lines 40-67 and col. 18, lines 1-67 and col. 19, lines 1-13).

Regarding claim 14, Plasson discloses the product of Claim 13, wherein the selection comprises a change to a security setting on the computer apparatus (col. 18, lines 21-36).

Regarding claim 15, Plasson discloses product of Claim 14, wherein the selection comprises a change to the level of the security setting according to whether the address information is registered beforehand (i.e., the proper configuration is implemented depending on whether or not the device is found in data structure 400)(col. 3, lines 11-24 and col. 14, lines 18-67 and col. 15, lines 1-64 and col. 18, lines 1-35).

Regarding claim 16, Plasson discloses the product of Claim 15, wherein the change comprises a change to the level of the security setting to a higher level if the address information about the device is not registered beforehand (i.e., the default configuration, which is selected for unknown devices, is more restrictive or provides a higher level of security)(col. 4, lines 32-54 and col. 18, lines 1-35).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see the attached PTO-892 for a complete listing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AREZOO SHERKAT whose telephone number is (571)272-3796. The examiner can normally be reached on 8:00-4:30 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Arezoo Sherkat/
Patent Examiner, Art Unit 2431
Dec. 4th, 2008

/Gilberto Barron Jr/
Supervisory Patent Examiner, Art Unit 2432